

REMARKS/ARGUMENTS

The present Amendment is responsive to the non-final Office Action mailed June 15, 2007 in the above-identified application.

Claims 6, 15 and 16 are canceled without prejudice or disclaimer. New claims 19 and 20 are added. Therefore, claims 1-5, 7-14 and 17-20 are the claims currently pending in the present application.

Claims 1 and 10 are amended to clarify features recited thereby. Claims 2-5, 7-9, 11-14, 17 and 18 are amended to conform them more closely to U.S. patent practice style.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and the receipt of the priority document. Further, applicant thanks the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statement filed on November 22, 2005.

Rejection of Claims 15 and 16 under 35 U.S.C. § 101

Claims 15 and 16 are rejected under 35 U.S.C. § 101 on the ground that they are directed to non-statutory subject matter.

In view of recent U.S. Supreme Court and Federal Circuit Court of Appeals case law, applicant respectfully disagrees with the assertion in the Office Action that claims 15 and 16 are directed to non-statutory subject matter, and avers that these claims are directed to subject matter that is patentable. However, in the interest of expediting examination of the present application and conserving examination resources, claims 15 and 16 are canceled without prejudice or disclaimer.

Rejection of Claims 1-18 under 35 U.S.C. § 102

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Perelle, U.S. Patent Application Publication No. 2002/0047685. Reconsideration of this rejection is respectfully requested.

Claims 1 and 10 require electrical storage modules connected in series between a first terminal and a second terminal, and controlling the voltage fraction provided to each module to vary over time within a voltage interval around a respective nominal module voltage of each module, such that the voltage fraction supplied to each module is higher than the respective nominal module voltage of each module.

Perelle discloses a method and a system for charging batteries of different kinds using the same charger device in which individual interfaces of the system provide the common interface with an indication of the voltage they measure at the terminals of each cell so that the common interface produces a signal to control switching of a “battery charging characteristic” when one of the measurement circuits determines that the voltage at the terminal of the rechargeable cell exceeds a maximum balancing threshold value (Perelle, Abstract). Perelle discloses that each interface 6 includes a second voltage measuring circuit 12 which supplies the common interface 7 with a binary indication relating to the voltage at the terminals of the rechargeable cell 5 of the battery 1 that this measuring circuit 12 is monitoring. Preferably this indication is a binary 0 if a voltage at the terminals of the cell 5 exceeds a particular balancing maximum threshold value V2 greater than the minimum threshold value V1. Perelle discloses further that the maximum threshold value V2 is chosen to be less than or at most equal to the maximum voltage Vm permitted at the terminals of one of the rechargeable cells that constitute the battery, the voltages V2 and Vm being fixed as a function of the nature of the cells that constitute the battery (Perelle, page 3, paragraph 45).

Perelle does not disclose or suggest controlling a respective voltage fraction supplied to each electrical storage module such that the respective voltage fraction is higher than the nominal module voltage of the module, as required by claims 1 and 10. Accordingly, Perelle does not disclose or suggest the recitations of claims 1 and 10.

Without intending to limit the scope of the claims, according to an aspect of applicant’s invention as claimed in claims 1 and 10, as shown for example in Figs. 2 and 3, the voltage level supplied to each module switches between two different

voltage levels, including one level that is higher than the nominal module voltage specified for the module. Thus, according to an aspect of applicant's invention, the charging process of the electrical storage modules is faster for a given limited overall voltage level. Such effects and advantages are not contemplated by Perelle. As discussed, Perelle is concerned with enabling balanced charging of batteries of different kinds in the same electrical charger device. Accordingly, it is respectfully submitted that claims 1 and 10 would not have been obvious based on the cited art.

Claims 2-5, 7-9 and 17 depend from claim 1, and claims 11-14 and 18 depend from claim 10. Therefore, claims 2-5, 7-9, 11-14, 17 and 18 are patentably distinguishable over the cited art for at least the same reasons.

Rejection of Claims 2 and 11 under 35 U.S.C. § 103

Claims 2 and 11 are rejected under 35 U.S.C. § 103 as being obvious from Perelle. Reconsideration of this rejection is respectfully requested.

As discussed, Perelle does not disclose or suggest the recitations of claims 1 and 10, and claims 1 and 10 would not have been obvious from Perelle. Therefore, since claims 2 and 11 depend from claims 1 and 10, respectively, claims 2 and 11 are patentably distinguishable over Perelle for at least the same reasons.

New Claims 19 and 20

New claims 19 and 20 are added so as more fully to claim patentable aspects of applicant's invention. New claims 19 and 20 are fully supported by applicant's disclosure (see for example, unamended claim 1 and claims 3, 4 and 17).

Claim 19 is patentably distinguishable over the cited art for at least the reason that it includes an above-cited feature of claim 1. Claim 20 depends from claim 19 and is therefore patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the application are now respectfully requested.

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